

State of California
Business, Transportation and Housing Agency
Department of Transportation

PROJECT BUSINESS MATTERS
Request for Waiver – Contract Award
Action Item

Prepared by:
Warren Weber
Chief
Division of Rail
(916) 654-2944

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Original Signed By
ROBERT L. GARCIA
Chief Financial Officer
May 1, 2002

TIME EXTENSION REQUEST – CTC RESOLUTION G-99-25
GUIDELINES FOR ALLOCATING, MONITORING AND AUDITING OF
FUNDS FOR LOCAL ASSISTANCE PROJECT
STATE TRANSPORTATION IMPROVEMENT PROGRAM
WAIVER-02-14

RECOMMENDATION

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve this time extension request for allocation of Construction funds for both Phase I and Phase 2 to November 30, 2003.

ISSUE

Resolution G-99-25, *Guidelines for Allocating, Monitoring and Auditing of Funds for Local Assistance Projects*, adopted by the Commission on August 18, 1999, stipulates that funds must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated.

North County Transit District (NCTD) is requesting a 17-month time extension, to November 30, 2003, for allocation award of \$26,690,000 for the construction of 3.1 miles of new second main track and straightening of existing track between Sorrento and Miramar for both phases of this project. The PPNO numbers for the two phases of this project are 9069A (\$21,390,000) and 7301 (\$5,300,000). The design and construction has been delayed due to extensive geotechnical investigations in environmentally sensitive lands. In January 2002, the City of San Diego (City) concluded that several proposed boring locations were not environmentally sensitive and the City's involvement was not required, thus the consultant URS Corporation completed the subsurface explorations in these areas. In February, the City concluded that the remaining boring locations impacted sensitive lands and required a Site Development Permit (SDP).

This unforeseen and unprecedented SDP effort is estimated to take nine months or longer. The City's SDP process and the manner in which it pertains to geotechnical investigations is new and not fully developed, therefore, NCTD believes it prudent to assume the SDP process will take 12 months (March 2003). NCTD will work diligently with the City to expedite the approval process. The City used five months to decide a SDP would be required. This delayed the completion of 60% design by five months. Continued development of the Sorrento – Miramar Main Track Project is contingent upon completion of the geotechnical investigation.

BACKGROUND

Initially NCTD had anticipated that the environmental process would be completed by June 2002, in time to request an allocation of the construction funds within the timely use of funds deadline. However, because of the steep terrain, the proposed project involves extensive excavation, embankment, retaining walls, and bridge elements within Soledad Canyon. Design of these elements depends on soil/geotechnical conditions. A number of subsurface explorations are needed to properly ascertain the site-specific engineering characteristics of existing soil. Detailed site-specific investigation was not preformed because 30% alignment had yet to be developed. URS

Corporation received notice to proceed with geotechnical investigation in October 2001 and immediately began the process of obtaining permission from landowners including the City. In November 2001, City staff informed NCTD/URS that it had concerns that many areas, where subsurface explorations must occur, would be environmentally sensitive and located within the City's Multiple Species Conservation Plan (MSCP) boundaries and is also within the City's Multiple Habitat Preservation Area (MHPA). City noted their interpretation of the current Land Development Code requires a Site Development Permit (SDP) to be obtained for geotechnical investigations in environmentally sensitive lands. City is approving the geotechnical investigation with the standard SDP process. This project represents the first major investigation to undergo the City SDP process.